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REMARKS

Applicant has considered the outstanding official action. It is respectfully submitted that all the claims are directed to patentable subject matter and are in condition for allowance as set forth below.

Initially, applicant is submitting herewith a replacement drawing sheet containing Figures 3 and 4. Applicant amended Figure 3 to correct an error, i.e., reference numeral "33" at the bottom left corner of Figure 3 has been corrected to read "33A". The bottom of the suction box 31 is defined by a wall 33 along the outer surface 33A of which the web material runs. Support for this correction is present in the specification at page 13, lines 26-27 and 31-33. No new matter has been added. Acceptance of the replacement drawing sheet is respectfully requested.

Claims 63, 67-68, 70-72, 74, 77-79, 82-87 and 92-93 are objected to as being dependent upon a rejected base claim, but are stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended these claims to place them in independent form or to depend from an allowable rewritten independent claim. It is

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noted that at page 3 of the outstanding action, that dependent claim 73 is also indicated to be allowable and yet at page 2, claim 73 is rejected under 35 U.S.C. §102. While claim 73 is mentioned in the §102 rejection, the added limitation of claim 73 is not discussed with respect to the applied art. Clarification as to the status of claim 73 is requested. Further, formal allowance of claims 63, 67-68, 70-72, 74, 77-79, 82-87 and 92-93 is respectfully requested.

Claim 88 is rejected under 35 U.S.C. § 112, second paragraph based on the Examiner's assertion that "the phrase 'wherein no means is provided for applying glue to winding cores' is unclear." The Examiner questions "[h]ow can the means not be there, if it was never known to be there in the first place? I.e., elements not relating to the glue operation were set forth before and all of a sudden the glue is not there." (See official action, page 2.) Applicant respectfully submits that claim 88 was clear and definite as previously set forth. However, in order to expedite prosecution, applicant has amended claim 88 to clarify what is claimed, namely, that winding of each log is started by the blower nozzles without application of glue to the winding cores. Accordingly, claim 88 claims that the blower nozzles in the absence of glue start the winding of each

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log. (See page 6, lines 6-9 and page 15, lines 15-22 and 30-34.) Thus, applicant respectfully submits that claim 88 is definite. Withdrawal of the § 112, second paragraph rejection is respectfully requested.

The outstanding rejections based on art are as follows:

- (1) Claims 55-62, 64-66, 69, 73, 75-76, 80-81, 88-91 and 94-106 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,327,877 (Perini);
- (2) Claim 107 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,849,357 (Andersson); and
- (3) Claim 108 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,512,528 (Kuhn) or U.S. Patent No. 5,725,176 (Vigneau).

Applicant notes that claims 107 and 108 have been canceled. Therefore, the rejections of these claims under 35 U.S.C. §102(b) are rendered moot. Withdrawal of the §102 rejections of claims 107 and 108 is respectfully requested.

The remaining rejected independent claims are claims 55 and 90.

Claim 55 claims a rewinding machine comprising a winding system, a feed path for feeding a web material

towards the winding system, a counter surface along which the web material runs, and at least one suction member positioned along the feed path to temporarily obstruct feed of the web material and cause interruption thereof at an end of winding of each log. Further, the at least one suction member and the counter surface are constructed and arranged such that the suction member attracts the web material onto the counter surface to generate a friction between the web material and the counter surface which causes breakage of the web material by tearing.

Claim 90 claims a method for producing logs of wound web material comprising feeding a web material along a feed path towards a winding system, a counter surface being arranged along the feed path and the web material sliding along the counter surface; winding a first log of the web material; and interrupting the web material at an end of winding of the first log, forming a final free edge of the first log and an initial free edge for winding of a second log. Further, the interrupting of the web material is by timed suction which obstructs the feeding of the web material and generates a friction between the web material and the counter surface along which the web material slides, the friction causing breakage of the web material.

Perini discloses a winding device for webs of paper including a first lower drum 1; a second upper drum 3 spaced from the lower drum 1 by a distance which allows tubular cores A to be fed one after the other therebetween. A presser drum 5 is articulated to rise progressively as a roll R of paper is formed on a core. Once the roll Rf reaches its final size, the finished roll Rf is projected forward so that the roll Rf is in contact with plane 46 and a brake drum 48, which stops the roll Rf. (See Figure 5.) By stopping the roll Rf, the paper C slows between the roll Rf and the next core A4. Since the web N continues to advance along the feed path and around the upper drum 3, and the lower drum 1 and the upper drum 3 continue to rotate at a speed corresponding to the speed the web N is fed, the paper C between the roll Rf and the core A4 is deformed toward and adheres to the surface of the lower drum 1 by suction provided through duct 32 to suction orifices 30 in the lower drum 1. Then, based on the counter-clockwise rotation of the lower drum 1, the paper C is inserted under the core A4 and the slackened area of paper C continues thereunder until it reaches a position held between the core A4 and the lower drum 1, thereby pulling and tearing the paper at a point R between the roll Rf and the core A4.

(See Figures 6 and 7.) After tearing, the starting end of the torn paper, having separated at point R from the already formed spool roll Rf, is wound on the core A4. (See Figures 5-8; column 4, lines 25-35 and 39-59.)

The machine and method described in Perini is different from applicant's claimed machine and method. Particularly, in Perini, in order to tear the paper web the following is performed by the machine: (1) a core is introduced into a nip between an upper roller and a lower roller; (2) the web is slackened between a finished roll and a subsequent core to be wound; and (3) a vacuum is generated through a duct to orifices in the lower roller to generate air flow which causes the web to temporarily adhere to the surface of the lower roller. (See Figure 6.) The continued rotation of the lower roller transfers the adhered portion of the web underneath the core where it is pinched by and between the core and the lower roller, and is pulled in a direction opposite to the direction of advance of the web, thereby creating a pulling tension on the web. (See Figures 6-7.) This causes the web to tear at a point between the finished roll and the subsequent core.

Therefore, the vacuum as taught in Perini does not generate friction between a web material and a counter

surface and does not cause tearing of the web material as in applicant's claimed rewinding machine and method. In Perini, the lower roller prevents the web from advancing towards the finished roll by the core pinching the web against the lower roller and pulling the web opposite the finished roll which is stopped by a braking roller in place. These two "pinch-points" cause the web to be pulled in opposite directions, and thus, the web therebetween is torn.

Applicant's claimed rewinding machine and method are different in structure and operation from that disclosed by Perini. As shown for example in Figures 1A and 3 (see the replacement drawing sheet of Figure 3 attached hereto), in applicant's claimed rewinding machine, a suction member 23 is positioned along a feed path of a web material N. The web material N moves along an outer surface 33A of a bottom wall 33 of the suction member 23. A vacuum is generated in relation to the outer surface 33A of the suction member 23 which causes the web material N to be pressed against the outer surface 33A of the wall 33 of the suction member which increases friction therebetween. This friction tears the web material. Therefore, in applicant's claimed rewinding machine and method, the suction of the web material against the outer surface 33A of the suction member 23 results in

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increased friction which generates tensional stresses in the web material N. The web material N then breaks along a perforation line formed in the web material due to this tensional stress.

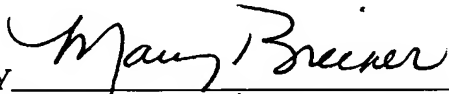
In Perini, the machine does not include at least one suction member to attract a web material to a counter surface and does not teach a counter surface along which the web material slides and generates a friction between the web material and the counter surface sufficient to cause breakage of the web material by tearing as claimed.

Accordingly, Perini does not teach each and every element of the claimed rewinding machine and claimed method for producing logs and, thus, does not anticipate the claims within the meaning of 35 U.S.C. §102(b). Withdrawal of the §102 rejection based on Perini is respectfully requested.

Reconsideration and allowance of the claims is respectfully urged.

Respectfully submitted,

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Attachment - Replacement Drawing (1 sheet-Figures 3 and 4)